

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES,

v.

04-cr-0543

REN AI LI, et al.,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge

ORDER

The government seeks leave to file a motion for reconsideration relating to this Court's prior decision vacating the pre-trial seizure orders. "The Government . . . urges the Court to entertain the motion for reconsideration for several reasons, including that the Court relied upon a definition of 'proceeds' that is unduly restrictive; that the decision in United States v. Maali, 358 F.Supp.2d 1154 (MDFL 2005), which the Court cited as a basis for its decision, has recently been approved for appeal by the Solicitor General and is now on appeal; and that the Court's definition of "proceeds" may present possible implications for Count Three of the indictment, as well as the forfeiture count. . . ."

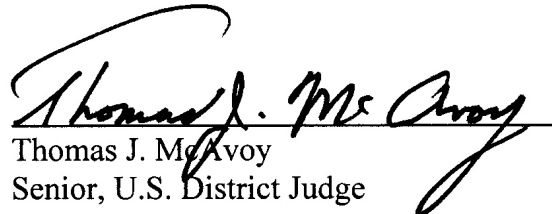
That the Solicitor General may be appealing Maali or that the Court's prior decision may have implications for the government's case are insufficient reasons upon which to grant a motion for reconsideration. The Court will, however, permit the government to file a memorandum of law limited to ten pages discussing case law supporting the government's position that this Court's definition of "proceeds" is unduly restrictive. Any such motion shall

be filed within eleven days of today's date. Defendants shall have eleven days from the date the government files its memorandum of law (limited to ten pages) to file a responsive memorandum of law. No reply will be permitted.

The Clerk of the Court shall calendar this matter on the Court's August 14, 2006 Motion Calendar in Albany, New York.

IT IS SO ORDERED.

Dated: June 26, 2006


Thomas J. McAvoy
Senior, U.S. District Judge